

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF MISSISSIPPI  
DELTA DIVISION

MELVIN LAWSON,

PLAINTIFF

VS.

CIVIL ACTION NO. 2:05cv21-B-B

JIM MCDONALD, ET AL.,

DEFENDANTS

**FINAL JUDGMENT**

Upon consideration of the file and record of this action, the Court finds that the Report and Recommendations of the United States Magistrate Judge dated September 8, 2005, was on that date duly served by regular mail upon the *pro se* plaintiff at his last known address and electronically upon counsel for defendants; that more than ten days have elapsed since service of said Report and Recommendations; and that no objection thereto has been filed or served by any party. The Court is of the opinion that the magistrate judge's Report and Recommendations should be approved and adopted as the opinion of the Court. It is, therefore

**ORDERED:**

1. That the Report and Recommendations of the United States Magistrate Judge dated September 8, 2005, is approved and adopted as the opinion of the Court;

2. That defendants' motions to dismiss are hereby **GRANTED**; and plaintiff's Complaint is **DISMISSED** with prejudice for failure to state a claim pursuant to FED.R.CIV.P. 12(b)(6) and for failure to prosecute and failure to obey an order of the Court pursuant to FED.R.CIV.P. 41(b).

**THIS**, the 26<sup>th</sup> day of September, 2005.

/s/ Neal Biggers

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**NEAL B. BIGGERS, JR.**  
**SENIOR U.S. DISTRICT JUDGE**